

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re ITT Corporation Derivative Litigation

Case No. 07 Civ. 2878 (CLB)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT, upon the annexed Affidavit of David Elbaum, sworn to on November 30, 2007, the exhibits attached thereto, and the accompanying memorandum of law dated November 30, 2007, nominal defendant ITT Corporation hereby moves this Court for an order dismissing the consolidated amended complaint with prejudice pursuant to Rule 23.1 of the Federal Rules of Civil Procedure.

DATED: November 30, 2007

Respectfully submitted,

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